

SAGAMOREHILL BROADCASTING LLC

3825 INVERNESS WAY, AUGUSTA, GA 30907 706.855.8506

KXLT-TV FOX 47 ROCHESTER, MN

AUGUST 1, 2005

MR. ROBERT W. HUBBARD
PRESIDENT
KSTC-TV, LLC
3415 UNIVERSITY AVENUE
ST. PAUL, MN 55114-2099

FCC File No. BFRCT-20050802AAT
MB Docket No. 03-15

RE: FCC REFERENCE NUMBER 2-A726-NS
KSTC(TV), MINNEAPOLIS, MINNESOTA, FACILITY ID No. 35843
FILE NO. BFRECT-20050210ARZ
FIRST ROUND CHANNEL ELECTION APPLICATION
LETTER OF NON-OBJECTION TO PREDICTED INTERFERENCE

DEAR MR. HUBBARD:

AS YOU KNOW, THE FEDERAL COMMUNICATIONS COMMISSION ("COMMISSION") HAS REQUIRED ALL TELEVISION STATIONS TO ELECT THEIR ULTIMATE CHANNEL FOR DIGITAL TELEVISION ("DTV") OPERATIONS. MY STATION, KXLT-TV, ROCHESTER, MINNESOTA ("KXLT"), HAS ELECTED TO REMAIN ON ITS ALLOTTED DTV CHANNEL, CHANNEL 46. ACCORDING TO THE COMMISSION'S RECORDS, YOUR STATION, KSTC(TV), MINNEAPOLIS, MINNESOTA ("KSTC"), HAS ELECTED TO COMMENCE DTV SERVICE ON KSTC'S CURRENT ANALOG CHANNEL, CHANNEL 45, AT THE END OF THE DTV TRANSITION. SEE FCC FILE NO. BFRECT-20050210ARZ.

IT HAS COME TO MY ATTENTION THAT ON JUNE 7, 2005, THE COMMISSION ISSUED THE ATTACHED LETTER ("LETTER") TO KSTC IN CONNECTION WITH YOUR ELECTION OF CHANNEL 45. THE LETTER STATES THAT THE COMMISSION'S ENGINEERING ANALYSIS OF KSTC'S OPERATIONS ON CHANNEL 45 PREDICTS 0.7% NEW INTERFERENCE TO KXLT'S DIGITAL OPERATIONS ON CHANNEL 46.

BY THIS LETTER, YOU ARE HEREBY NOTIFIED THAT SAGAMOREHILL OF MINNESOTA LICENSES, LLC, THE LICENSEE OF KXLT, DOES NOT OBJECT TO YOUR PROPOSED OPERATIONS ON CHANNEL 45 OR TO THE PREDICTED INTERFERENCE OF 0.7% . THIS LETTER MAY BE SHARED WITH THE COMMISSION'S STAFF TO RESOLVE THE INTERFERENCE CONFLICT AND MAY BE TREATED AS A CONFLICT RESOLUTION AGREEMENT FOR PURPOSES OF THE COMMISSION'S LETTER.

LETTER: MR. ROBERT HUBBARD

WE ARE ENTERING A NEW DIGITAL WORLD THAT REQUIRES ALL BROADCASTERS TO ENGAGE IN A SPIRIT OF COOPERATION AS WE SEARCH TO FIND THE BESTWAY FOR ALL OF US TO SERVE THE NATION'S VIEWERS. BY GIVING WAY TO THIS INTERFERENCE, WE TRUST THIS EFFORT BY SAGAMOREHILL BROADCASTING AND SPECIFICALLY SAGAMOREHILL OF MINNESOTA LICENSES LLC WILL PROVIDE THE NECESSARY FLEXIBILITY FOR HUBBARD BROADCASTING, INC TO BEST SERVE THE PEOPLE OF MINNESOTA.

SINCERELY,

SAGAMOREHILL OF MINNESOTA LICENSES, LLC

A handwritten signature in black ink, appearing to read "Louis S. Wall", written over a horizontal line.

LOUIS S. WALL

PRESIDENT AND CHIEF EXECUTIVE OFFICER

ENCLOSURE

3039296_v1



Federal Communications Commission
Washington, D.C. 20554

June 7, 2005

IN REPLY REFER TO:
2-A726-NS

KSTC-TV, LLC
3415 UNIVERSITY AVENUE
ST. PAUL, MN 55114-2099

Re: KSTC
MINNEAPOLIS, MN
First Round Channel Election Application
File No. BFRECT-20050210ARZ
Facility ID No. 35843

Dear Applicant:

This is with respect to the above-referenced DTV channel election application filed in the first round of DTV elections, whereby you elect to keep your allotted NTSC channel as your post-transition DTV channel.

In the *Second DTV Periodic Review Report and Order* in MM Docket No. 03-15,¹ the Commission adopted a multi-step channel election process through which broadcast licensees and permittees select their ultimate DTV channel inside the core (*i.e.*, channels 2-51). In the first round, licensees with in-core channels (either one or two in-core channels) filed First Round Election Forms on February 10, 2005, selecting which assigned channel they prefer to use for digital operations. We have completed our first round interference conflict analysis to determine whether elected NTSC channels would cause more than 0.1% interference in addition to existing interference to: (1) an in-core DTV channel that was elected in the first round; (2) an in-core DTV channel of any licensee that elected its NTSC channel in the first round, which may need to revert to its DTV channel if its elected NTSC channel is not available; or (3) another in-core NTSC channel selected in the first round by a station with an out-of-core DTV channel or a licensee with a single channel.

Our engineering analysis indicates that the proposed digital operation on your elected NTSC channel would result in impermissible interference to the following station(s):

0.7% to elected DTV channel 46, KXLT, Rochester, MN

Pursuant to the *Second Periodic Review*, you have 60 (sixty) days from the date of this letter to file a First Round Conflict Decision Form 383, indicating how you will resolve the above-referenced interference conflict. Licensees with interference conflicts may decide to maintain their in-core NTSC election by reducing their operating facilities to eliminate interference; by negotiating a conflict resolution agreement with the station(s) with which they are in conflict; by

¹ *Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, 19 FCC Rcd 18,279 (2004).

changing their election to their in-core DTV channel; or by electing to participate in the second round of elections if they are a single "one-in-core" licensee or a "two-low-VHF" licensee (channel 2-6). A licensee may agree to accept interference as long as it is still able to serve all of its community of license.²

If you have any questions, please contact Nazifa Sawez at 202-418-7059. Failure to comply with the requirement of this letter within the time specified herein will result in the denial of your channel election application. A copy of this letter is being sent to each of the affected stations.

Sincerely,

Clay C. Pendarvis
Associate Chief
Video Division
Media Bureau

² *Second Periodic Review*, 19 FCC Rcd at para 55.